



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20606 of 2016

S.Innasi

.. Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.
rep. by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region, Maruthupathi,
Karaikudi, Sivagangai.

3. The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation of Pension, Leave wages and other benefits payable to him as per the settlement dated 13.04.2015 under Section 12(3) of I.D Act w.e.f. 01.09.2013 based on the petitioner's representation dated 22.07.2016 within reasonable rate of interest within the time that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondents 1 and 2 : Mr.D.Sivaraman

<https://hcservices.ecourts.gov.in/hcservices/> For Respondent No.3 : Mr.A.P.Muthupandian

**ORDER**

Initially, the petitioner was employed as a Junior Assistant in the respondents Transport Corporation and later on, promoted as Technical Level 4. He retired from service on 28.02.2015

2.The grievance of the petitioner is that he is entitled to revision of scale of pay in the post of Technical Level 4 as per 12(3) settlement dated 13.04.2015. Since his pay has not been revised, he made a representation dated 22.07.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation of Pension, Leave wages and other benefits payable to him as per the settlement dated 13.04.2015 entered into under Section 12(3) of I.D Act w.e.f. 01.09.2013 based on the petitioner's representation dated 22.07.2016 within reasonable rate of interest.

3.The learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 22.07.2016 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 22.07.2016, in the light of 12(3) Settlement dated 13.04.2015 and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

+ 1 CC TO Mr.G.M.XAVIER, ADVOCATE IN SR No. 63757

+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 64438

SMN

TE/KM : 15/11/2016 : 2P/3C

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